

ORDINANCE NO. 81 0430-G

AMENDED BY ORDINANCE
NO. 82 0902-D

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

AN APPROXIMATE 79.76 ACRES OF LAND, LOCALLY KNOWN AS THE INTERSECTION OF SOUTH LAMAR AND LOOP 360 WEST, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT, "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT, "GR" GENERAL RETAIL, SECOND HEIGHT AND AREA DISTRICT, "C-1" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT, "O-1" OFFICE, SECOND HEIGHT AND AREA DISTRICT, "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT, "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE and HEIGHT and AREA designations on the property described in File C14r-81-033 to-wit:

An approximate 79.76 acres of land, being more particularly described in Tracts 1-9 below.

Tract 1: From Interim "AA" Residence, Interim First Height and Area District to "GR" General Retail, First Height and Area District.

BEING a part of the CHARLES H. RIDDLE SURVEY #19, Travis County, Texas, and a part of those certain tracts or parcels of land described in deeds to Emmett Brodie and recorded in Vol. 446, Page 183 and to Frances G. Brodie and recorded in Vol. 2451, Page 309, deed records of Travis County, and being more particularly described by metes and bounds as follows:

COMMENCING at an iron rod on the northwesterly right-of-way of U.S. Highway 290, (South Lamar Blvd.), from which an iron pipe at the most southerly southeast corner of a 2 acre tract conveyed to D. C. Eskew and recorded in Vol. 846, Page 215, Deed Records of Travis Co., bears N 51° 56' E 64.62';

THENCE with the northwesterly right-of-way of U.S. Highway 290: (1) S 52° 01' 00" W 1414.07' to a conc. mon.; (2) S 57° 38' 59" W 105.14' to a point, from which a conc. monument bears S 57° 38' 59" W 196.41', said point being the most easterly corner of the hereinafter described Tract 1 and the TRUE PLACE OF BEGINNING for said description:

THENCE with the northwesterly right-of-way of U.S. Highway 290 and the northeasterly right-of-way of U.S. Highway 360 the following described courses and distances:

(1) S 57° 38' 59" W 196.41' to a conc. mon.
 (2) S 64° 49' 08" W 273.78' to a conc. mon.
 (3) S 77° 51' 26" W 296.14' to a conc. mon.
 (4) N 80° 20' 18" W 511.07' to a conc. mon.
 (5) N 40° 42' 00" W 407.23' to a conc. mon.
 (6) N 22° 23' 35" W 678.09' to a conc. mon.; and,
 (7) N 31° 51' 58" W 95.00' to a point on the northeasterly line
 of U.S. Highway 360, from which a concrete monument bears N 31° 51' 58" W
 208.76';

THENCE traversing the interior of said Brodie Tract the following
 described courses and distances:

(1) N 67° 08' 02" E 635.00'
 (2) S 22° 21' 58" E 428.00'
 (3) S 80° 51' 58" E 298.00'
 (4) N 55° 23' 02" E 109.00'
 (5) S 33° 06' 58" E 338.00'
 (6) N 80° 21' 58" W 86.38'
 (7) N 09° 08' 02" E 60.51'
 (8) N 79° 51' 58" W 528.00'
 (9) N 21° 21' 58" W 370.00'
 (10) N 81° 12' 40" W 210.48'
 (11) S 07° 03' 32" W 58.46'
 (12) S 67° 08' 02" W 308.00'
 (13) S 22° 51' 58" E 205.00'
 (14) N 67° 08' 02" E 190.00'
 (15) S 79° 51' 58" E 188.00'
 (16) S 28° 51' 58" E 316.00'
 (17) S 80° 21' 58" E 770.00'
 (18) S 33° 06' 58" E 28.76'
 (19) N 80° 21' 58" W 76.84'
 (20) S 08° 53' 02" W 185.00'
 (21) N 61° 53' 02" E 340.00', and,
 (22) S 36° 06' 58" E 222.00' to the PLACE OF BEGINNING, containing
 20.6961 acres of land, subject to easements, conditions or restrictions of
 record, if any.

Tract 2: From Interim "AA" Residence, Interim First Height
 and Area District to "C" Commercial, First Height and Area
 District.

BEING a part of the CHARLES H. RIDDLE SURVEY #19, Travis
 County, Texas, and a part of those certain tracts or
 parcels of land described in deeds to Emmett Brodie and
 recorded in Vol. 446, Page 183, and to Frances G. Brodie
 and recorded in Vol. 2451, Page 309, Deed Records of
 Travis County, and being more particularly described by
 metes and bounds as follows:

COMMENCING at an iron rod on the northwesterly right-of-way of U.S.
 Highway 290, (South Lamar Blvd.), from which an iron pipe at the most southerly
 southeast corner of a 2 acre tract conveyed to D. C. Eskew and recorded in
 Vol. 846, Page 215, Deed Records of Travis Co., bears N 51° 56' E 64.62';

THENCE with the northwesterly right-of-way of U.S. Highway 290
(1) S 52° 01' 00" W 1414.07' to a conc. mon. and (2) S 57° 38' 59" W 105.14'
to a point;

THENCE traversing said Brodie Tract:

- (1) N 36° 06' 58" W 222.00'
- (2) S 61° 53' 02" W 340.00'
- (3) N 08° 53' 02" E 185.00'
- (4) S 80° 21' 58" E 76.84'
- (5) N 33° 06' 58" W 28.76'
- (6) N 80° 21' 58" W 770.00'
- (7) N 28° 51' 58" W 316.00' and
- (8) N 79° 51' 58" W 188.00' to a point, said point being the south-

east corner of the hereinafter described Tract 2 and the true place of
beginning for said description;

THENCE 67° 08' 02" W 190.00;

THENCE N 22° 58' 51" W 205.00';

THENCE N 67° 08' 02" E 308.00';

THENCE S 07° 03' 32" W 236.54' to the PLACE OF BEGINNING, containing
1.1718 acres of land.

Tract 3: From Interim "AA" Residence, Interim First Height
and Area District to "GR" General Retail, Second Height and
Area District.

BEING a part of the CHARLES H. RIDDLE SURVEY #19, Travis
County, Texas, and a part of those certain tracts or
parcels of land described in deeds to Emmett Brodie and
recorded in Vol. 446, Page 183 and to Frances G. Brodie
and recorded in Vol. 2451, Page 309, Deed Records of
Travis County, and being more particularly described by
metes and bounds as follows:

COMMENCING at an iron rod on the northwesterly right-of-way of U.S.
Highway 290, (South Lamar Blvd.), from which an iron pipe at the most southerly
southeast corner of a 2 acre tract conveyed to D. C. Eskew and recorded in
Vol. 846, Page 215, Deed Records of Travis Co., bears N 51° 56' E 64.62';

THENCE with the northwesterly right-of-way of U.S. Highway 290;

- (1) S 52° 01' 00" W 1414.07' to a conc. mon., and,
- (2) S 57° 38' 59" W 105.14' to a point on said right-of-way, from
which a concrete monument bears S 57° 38' 59" W 196.41';

THENCE traversing said Brodie Tract:

- (1) N 36° 06' 58" W 222.00'
- (2) S 61° 53' 02" W 340.00'
- (3) N 08° 53' 02" E 185.00'

(4) S 80° 21' 58" E 76.84'

(5) N 33° 06' 58" W 28.76'

and (6) N 80° 21' 58" W 237.00' to a point, said point being the southeast corner of the hereinafter described Tract 3 and the TRUE PLACE OF BEGINNING for said description;

THENCE traversing said Brodie Tract:

(1) N 80° 21' 58" W 533.00'

(2) N 28° 51' 58" W 316.00'

(3) N 79° 51' 58" W 188.00'

(4) N 07° 03' 32" E 295.00'

(5) S 81° 12' 40" E 210.48'

(6) S 21° 21' 58" E 370.00'

(7) S 79° 51' 58" E 528.00' and

(8) S 09° 08' 02" W 225.00' to the PLACE OF BEGINNING, containing 5.3425 acres of land.

Tract 4: From Interim "AA" Residence, Interim First Height and Area District to "C-1" Commercial, First Height and Area District.

BEING a part of the CHARLES H. RIDDLE SURVEY NO. 19, Travis County, Texas, and a part of those certain tracts or parcels of land described in deeds to Emmett Brodie and recorded in Vol. 446, Page 183, and to Frances G. Brodie and recorded in Vol. 2451, Page 309, Deed Records of Travis County, and being more particularly described by metes and bounds as follows:

COMMENCING at an iron rod on the northwesterly right-of-way of U.S. Highway 290, (South Lamar Blvd.), from which an iron pipe at the most southerly southeast corner of a 2 acre tract conveyed to D. C. Eskew and recorded in Vol. 846, Page 215, Deed Records of Travis Co., bears N 51° 56' E 64.62';

THENCE with the northwesterly right-of-way of U.S. Highway 290:

(1) S 52° 01' 00" W 1414.07' to a conc. mon.; and,

(2) S 57° 38' 59" W 105.14' to a point on said right-of-way from which a concrete monument bears S 57° 38' 59" W 196.41';

THENCE traversing said Brodie Tract:

(1) N 36° 06' 58" W 222.00'

(2) S 61° 53' 02" W 340.00'

(3) N 08° 53' 02" E 185.00'

(4) S 80° 21' 58" E 76.84' and

(5) N 33° 06' 58" W 28.76' to a point, said point being the southeast corner of the hereinafter described Tract 4 and the TRUE PLACE OF BEGINNING for said description;

THENCE N 80° 21' 58" W 237.00';

THENCE N 09° 08' 02" E 164.49';

THENCE S 80° 21' 58" E 86.38';

THENCE S 33° 06' 58" E 224.00' to the PLACE OF BEGINNING, containing 0.6106 acres of land.

Tract 5: From Interim "AA" Residence, Interim First Height and Area District to "O-1" Office, Second Height and Area District.

BEING a part of the CHARLES H. RIDDLE SURVEY NO. 19, Travis County, Texas, and a part of those certain tracts or parcels of land described in deeds to Emmett Brodie and recorded in Vol. 446, Page 183, and to Frances G. Brodie and recorded in Vol. 2451, Page 309, Deed Records of Travis Co., and being more particularly described by metes and bounds as follows:

COMMENCING at an iron rod on the northwesterly right-of-way of U.S. Highway 290, (South Lamar Blvd.), from which an iron pipe at the most southerly southeast corner of a 2 acre tract conveyed to D. C. Eskew and recorded in Vol. 846, Page 215, Deed Records of Travis Co., bears N 51° 56' E 64.62';

THENCE S 52° 01' 00" W 1116.28' with the northwesterly right-of-way of U.S. Highway 290 to a point, said point being the most easterly corner of the hereinafter described Tract 5 and the TRUE PLACE OF BEGINNING for said description;

THENCE with the northwesterly right-of-way of U.S. Highway 290:

(1) S 52° 01' 00" W 297.79' to a conc. mon.; and,
(2) S 57° 38' 59" W 105.14' to a point, said point being the most southerly corner of Tract 5 and from which a concrete monument bears S 57° 38' 59" W 196.41';

THENCE traversing said Brodie Tract:

(1) N 36° 06' 58" W 222.00'
(2) S 61° 53' 02" W 340.00'
(3) N 08° 53' 02" E 185.00'
(4) S 80° 21' 59" E 76.84'
(5) N 33° 06' 58" W 252.76
(6) N 56° 01' 01" E 531.92; and,
(7) S 37° 06' 58" E 575.00' to the PLACE OF BEGINNING, containing 6.9678 acres of land.

Tract 6: From Interim "AA" Residence, Interim First Height and Area District to "B" Residence, Second Height and Area District.

BEING a part of the CHARLES H. RIDDLE SURVEY NO. 19 and the HENRY P. HILL SURVEY NO. 21, Travis County, Texas, and a part of those certain tracts of land described in deeds to Emmett Brodie and recorded in Vol. 446, Page 183 and the Frances G. Brodie and recorded in Vol. 2451, Page 309, Deed Records of Travis County, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron rod on the northwesterly right-of-way of U.S. Highway 290, (South Lamar Blvd.), from which an iron pipe at the most southerly southeast corner of a 2 acre tract conveyed to D. C. Eskew and recorded in Vol. 846, Page 215, Deed Records of Travis Co., bears N 51° 01' 00" W 297.79';

THENCE traversing said Brodie Tract:

(1) N 37° 06' 58" W 575.00' to an iron pin
 (2) N 51° 43' 22" W 128.2.17' to an iron pin
 (3) S 29° 39' 52" E 77.31' to an iron pin
 (4) S 15° 31' 58" E 48.70' to an iron pin
 (5) S 23° 46' 28" W 223.66' to an iron pin
 and (6) S 46° 22' 26" E 358.01' to the PLACE OF BEGINNING, containing 13.9775 acres of land.

Tract 7: From Interim "AA" Residence, Interim First Height and Area District to "B" Residence, Second Height and Area District.

BEING a part of the CHARLES H. RIDDLE SURVEY NO. 19, Travis County, Texas, and a part of those certain tracts of land described in deeds to Emmett Brodie and recorded in Vol. 446, Page 183 and the Frances G. Brodie and recorded in Vol. 2451, Page 309, Deed Records of Travis Co., and being more particularly described by metes and bounds as follows:

BEGINNING at an iron rod on the northwesterly right-of-way of U.S. Highway 290, (South Lamar Blvd.), from which an iron pipe at the most southerly southeast corner of a 2 acre tract conveyed to D. C. Eskew and recorded in Vol. 846, Page 215, Deed Records of Travis Co., bears N 51° 56' E 64.62';

THENCE S 52° 01' 00" W 1116.28' with the northwesterly right-of-way of U.S. Highway 290 to a point, from which a concrete monument bears S 52° 01' 00" W 297.79';

THENCE (1) N 39° 06' 38" W 575.00'; and (2) S 56° 01' 01" W 531.92' to the most southerly corner of the hereinafter described Tract 7 and the TRUE PLACE OF BEGINNING for said description;

THENCE traversing said Brodie Tract:

(1) N 33° 06' 58" W 338.00'
 (2) N 55° 23' 02" E 549.00'
 (3) N 49° 53' 02" E 392.81'
 (4) S 38° 16' 38" E 354.01'
 (5) S 51° 43' 22" W 440.48' and
 (6) S 56° 01' 01" W 531.92' to the PLACE OF BEGINNING, containing
 8.24 acres of land.

Tract 8: From Interim "AA" Residence, Interim First
 Height and Area District to "BB" Residence, First
 Height and Area District.

BEING a part of the CHARLES H. RIDDLE SURVEY NO. 19
 and the HENRY P. HILL SURVEY NO. 21, Travis County,
 Texas, and a part of those certain tracts of land
 described in deeds to Emmett Brodie and recorded in
 Vol. 2451, Page 309, Deed Records of Travis County,
 and being more particularly described by metes and
 bounds as follows:

BEGINNING at an iron rod on the northwesterly right-of-way of U.S.
 Highway 290, (South Lamar Blvd.), from which an iron pipe at the most southerly
 southeast corner of a 2 acre tract conveyed to D. C. Eskew and recorded in
 Vol. 846, Page 215, Deed Records of Travis Co., bears N 51° 56' E 64.62';

THENCE with the northeasterly line of said Brodie Tract:

(1) N 46° 22' 26" W 358.01 to an iron pipe
 (2) N 23° 46' 28" E 223.66 to an iron pipe, and,
 (3) N 15° 31' 58" W 48.70 to an iron pipe for the most easterly
 point of the hereinafter described Tract 8 and the TRUE PLACE OF BEGINNING
 for said description;

(1) S 51° 43' 22" W 841.69'
 (2) N 38° 16' 38" W 354.01'
 (3) N 49° 53' 02" E 57.18'
 (4) N 39° 23' 02" E 478.00'
 (5) N 82° 53' 02" E 402.26;
 (6) S 26° 08' 44" E 78.70'
 (7) S 62° 55' 16" E 29.00'
 and (8) S 29° 39' 52" E 148.20' to the PLACE OF BEGINNING, containing
 7.9845 acres of land.

Tract 9: From Interim "AA" Residence, Interim First
 Height and Area District to "O-1" Office, Second Height
 and Area District.

BEING a part of the CHARLES H. RIDDLE SURVEY #19,
 Travis County, Texas, and a part of those certain
 tracts or parcels of land described in deeds to
 Emmett Brodie and recorded in Vol. 446, Page 183,

and to Frances G. Brodie and recorded in Vol. 2451, Page 309, Deed Records of Travis Co., and being more particularly described by metes and bounds as follows:

COMMENCING an an iron rod on the northwesterly right-of-way of U.S. Highway 290, (South Lamar Blvd.), from which an iron pipe at the most southerly southeast corner of a 2 acre tract conveyed to D. C. Eskew and recorded in Vol. 846, Page 215, Deed Records of Travis Co., bears N 51° 56' E 64.62';

THENCE with the northwesterly right-of-way of U.S. Highway 290 and the northeasterly right-of-way of U.S. Highway 360 the following described courses and distances:

- (1) S 52° 01' 00" W 1414.07' to a conc. mon.
- (2) S 57° 38' 59" W 301.55' to a conc. mon.
- (3) S 64° 49' 08" W 273.78' to a conc. mon.
- (4) S 77° 51' 26" W 296.14' to a conc. mon.
- (5) N 80° 20' 18" W 511.07' to a conc. mon.
- (6) N 40° 42' 00" W 407.27' to a conc. mon.
- (7) N 22° 23' 35" W 678.09' to a conc. mon.
- (8) N 31° 51' 58" W 303.76' to a conc. mon.

and (9) N 22° 26' 06" W 869.35' to a point on the northeasterly right-of-way of U.S. Highway 360, said point being the most southerly corner of the hereinafter described tract and the TRUE PLACE OF BEGINNING for said description;

THENCE with the northeasterly right-of-way of U.S. Highway 360 the following described courses and distances:

- (1) N 22° 26' 06" W 130.00'
- (2) N 49° 00' 06" W 111.89'
- (3) N 22° 26' 06" W 499.83'

and (4) N 03° 19' 45" E 126.00' to a point on said right-of-way of U.S. Highway 360;

THENCE traversing the interior of said Brodie Tract, the following described courses and distances:

- (1) N 64° 49' 45" E 478.00'
- (2) S 26° 40' 15" E 340.00'
- (3) N 64° 04' 45" E 360.00'
- (4) S 26° 40' 15" E 374.73'
- (5) S 24° 18' 54" W 242.14' and
- (6) S 66° 48' 54" W 718.00' to the PLACE OF BEGINNING, containing

14.7704 acres of land, subject to easements, conditions or restrictions of record, if any.

all of the above property being locally known as the intersection of South Lamar and Loop 360 West in the City of Austin, Travis County, Texas.

PART 2. That the development of the property herein described shall be accomplished in accordance with the site plan approved by the Planning Commission and attached hereto as Exhibit "A", or as such site plan is subsequently adjusted or modified as provided by Sec. 45-58(d) of the Austin City Code of 1967. Except to the extent that such site plan is inconsistent therewith, the development and use of the property described herein shall be in accordance with the ordinance of the City of Austin governing the development and use of property in the use, height and area districts established on said property by this ordinance and in accordance with Article V of Chapter 45 of the Austin City Code of 1967.

PART 3. It is hereby ordered that the USE and HEIGHT and AREA maps accompanying Chapter 45 of the Austin City Code of 1967 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

PART 4. The rule requiring that ordinances shall be read on three separate days is hereby suspended, and this ordinance shall become effective ten (10) days following the date of its passage.

PASSED AND APPROVED

April 30, 1981

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I

Carole Keeton
Mayor

APPROVED:

Albert De La Rosa
City Attorney

ATTEST:

Grace Monroe
City Clerk

:cf

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C14r- 81-033

- SITE PLAN RELEASE NOTES:**
1. The approval of this site plan does not constitute Building Code approval.
 2. Any signs proposed must comply with Section 45-60, as well as all Sign and Zoning Ordinance requirements.
 3. Landscape and Screening Ordinances must be complied with.
 4. Driveway permits required prior to construction; State Highway Department approval required on South Lamar and West Loop 360.
 5. Waterway development permit required prior to construction.
 6. Compliance with Barton Creek Watershed ordinance will be required.
 7. All improvements of tract shall be developed in accordance with the site plan. Any new or additional improvements will require a site plan amendment and Council approval.
 8. Subdivision of land is required.

This site plan was approved by City Council on April 9, 1981 and by Planning Commission on March 10, 1981.

Richard Little
Richard Little
Date: May 21, 1981.

PROPOSED PUBLIC PARK

2.00 ACRES

PROPOSED ZONING

(SEE ATTACHED ZONING PLAN)

PROPOSED ZONING
(SEE ATTACHED ZONING PLAN)

THE BRODIE TRACT PRA SITE PLAN

Prepared By:
THE ROUSE COMPANIES INC.
10000 WEST 10TH AVE. SUITE 100
DENVER, CO 80231

And
CARRINGTON GROVES INC.
10000 WEST 10TH AVE. SUITE 100
DENVER, CO 80231

Applicant:
PORTER YOUNG & ASSOCIATES
10000 WEST 10TH AVE. SUITE 100
DENVER, CO 80231

2/4/81 C14r- 81-033